

---

THE BUREAU OF LAND MANAGEMENT (BLM)

POLICY ON REASONABLE ACCOMMODATION  
FOR INDIVIDUALS WITH DISABILITIES

CONTENTS

1. POLICY
2. PURPOSE
3. APPLICABILITY
4. DEFINITIONS
5. RESPONSIBILITIES
  - a. Director
  - b. Equal Opportunity Officer
  - c. Supervisors
  - d. Employees and Applicants
6. ACTING ON REQUESTS FOR REASONABLE ACCOMMODATIONS
  - a. Employee's or Applicant's Request
  - b. Bureau's Decision on Request
7. MEANS OF REASONABLE ACCOMMODATION
8. FACTORS TO BE CONSIDERED IN DETERMINING REASONABLE ACCOMMODATION
  - Appendix 1. Recommended Format for Request for Reasonable Accommodation
  - Appendix 2. Medical Documentation to Support Request Request for Accommodation
  - Appendix 3. Standard for Review of Medical Documentation

## REASONABLE ACCOMMODATION FOR INDIVIDUALS WITH DISABILITIES

1. **POLICY.** In accordance with the Equal Employment Opportunity Commission regulations at 29 C.F.R. 1614 and the Department of the Interior (DOI) policy, the Bureau of Land Management (BLM) will make reasonable accommodations to the known physical or mental limitations of a qualified disabled employee or applicant for employment unless the accommodation would impose an undue hardship on the operation of the BLM's program. The BLM is not required, however, to implement an accommodation which would amount to substantial, extensive, and fundamental alterations to its operations.

2. **PURPOSE.** The purpose of this policy is to implement, at the bureau level, the DOI's policy on making reasonable accommodation. The DOI policy establishes requirements and provides instructions for acting on requests for reasonable accommodation from employees and applicants.

3. **APPLICABILITY.** This policy applies only to employees and applicants for employment with BLM who have a disability as defined in 4a below.

### 4. DEFINITIONS

a. A disabled person is defined as one who:

(1) has a physical or mental impairment that substantially limits one or more major life activities;

(2) has a record of such an impairment; or

(3) is regarded as having such an impairment.

b. A physical or mental impairment means:

(1) any physiological disorder or condition cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems; neurological; musculoskeletal; special sense organs cardiovascular; reproductive; digestive; genitourinary; hemic and lymphatic; skin; and endocrine; or

(2) any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.

c. Major life activities means functions, such as caring for one's self; performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

d. Has record of such an impairment means has a history, of or has been classified (or misclassified) as having a mental or physical impairment that substantially limits one or more major life activities.

e. Is regarded as having such an impairment means:

(1) has a physical or mental impairment that does not substantially limit major life activities, but is treated by an employer as constituting such a limitation.

(2) has a physical or mental impairment that substantially limits major life activities only as results or the attitude of an employer toward such impairment; or

(3) has none of the impairments defined above but is treated by an employer as having such an impairment.

f. A qualified disabled person is one who, with respect to employment, is a disabled person who, with or without reasonable accommodations, can perform the essential functions of the position in question without endangering the health and safety of the individual or others and who, depending upon the type of appointing authority being used:

(1) meets the experience and/or education requirements (which may include passing a written test) of the position in questions, or

(2) meets the criteria for appointment under one of the special appointing authorities for disabled persons.

## 5. RESPONSIBILITIES

a. The BLM Director (or his/her designee) is responsible for implementing the DOI's policy on reasonable accommodation in BLM (that is, ensuring that reasonable accommodations are made for qualified disabled employees or applicants in accordance with applicable law and regulations and this BLM policy.

b. The Group Manager or Equal Employment Opportunity Group (EEO) is responsible for:

(1) providing guidance and assistance in an effort to make reasonable accommodations to qualified disabled employees or applicants.

(2) reviewing decisions made that are unfavorable to the employee or applicant, prior to issuance.

c. Supervisors and, in appropriate cases, Accessibility Coordinators are responsible for recommending the appropriate action on work accommodations, assignments, and other activities that would benefit the BLM and the disabled employee or applicant. This responsibility does not include any accommodations that would create an undue hardship on the BLM.

d. Employees or applicants are responsible for providing specific information on the nature of their abilities and disabilities with regard to the requirements of the job, so that an assessment can be made of possible means of reasonable accommodation. (Examples of means of reasonable accommodation are provided in Section 7.)

## 6. ACTING ON REQUESTS FOR REASONABLE ACCOMMODATION

a. The employee or applicant is responsible for making the request for reasonable accommodation. The following requirements apply:

(1) The request must be in writing. (A recommended request format is provided in Appendix 1.)

(2) The request must specifically describe the disability necessitating the accommodation and the accommodation needed to enable the employee to perform the job.

(3) The employee or applicant must provide specific information on the nature of his or her abilities and disabilities with regard to the requirements of the particular job.

(4) The employee should submit the request to his or her supervisor. An applicant submits such request to the BLM Accessibility Coordinator.

b. BLM's Decision on Request

(1) Upon receipt of a request for reasonable accommodation, the employee's supervisor or the BLM's Accessibility Coordinator (in the case of an applicant) will review the request and issue a written decision to the employee or applicant within 15 calendar days of receipt of the request.

(2) The supervisor or Accessibility Coordinator will consider the following in determining whether an accommodation can be made:

(a) The employee's or applicant's specific disability and the existing limitations;

(b) the essential duties of the particular job;

(c) the work environment; and

(d ) the reasonableness of the proposed accommodation.

(3) The cases should be discussed with the Accessibility Coordinator (if he or she is not making the decision) and/or other appropriate management officials.

(4) The supervisor or BLM Accessibility Coordinator may request assistance from the EEO Officer.

(5) As previously indicated, the BLM is not required to implement an accommodation that would impose an undue hardship on operations. Thus, the supervisor or BLM Accessibility Coordinator must determine whether the requested accommodation would create any undue hardship on the BLM's operations. See Section 8 for factors that should be considered in determining whether an accommodation would impose undue hardship.

(6) The decision on the request for reasonable accommodation must state whether the proposed accommodation will be made and, if so, the action taken (or that will be taken) to accommodate the employee or applicant.

(7) A decision denying the proposed accommodation (that is, a decision that is unfavorable to the employee) must be reviewed by the EEO Officer prior to issuance. The decision must indicate what actions have been taken to accommodate the employee or applicant.

(8) A copy of each decision on reasonable accommodation must be provided to the EEO Office.

(9) If the supervisor or Accessibility Coordinator cannot make a decision on the initial request for accommodation because additional medical information is needed, he or she may request such information as defined in 5 C.F.R 339.102 Appendix 2.

7. MEANS OF REASONABLE ACCOMMODATION. Examples of the kinds of actions which may constitute reasonable accommodation are listed in 29 C.F.R. 1614. Reasonable accommodation may include, but is not limited to the following:

- a. Making facilities readily accessible to and usable by disabled persons;
- b. Job restructuring, part-time or modified work schedules;
- c. Acquisition or modification of equipment or devices;
- d. Appropriate adjustment or modification of examination; and
- e. Provision of readers and interpreters.

8. FACTORS TO CONSIDER IN DETERMINING UNDUE HARDSHIP. The following are some factors that should be considered in determining whether an employee or an applicant's request for accommodation would impose undue hardship on the operation of the BLM.

- a. the overall size of the BLM program with respect to the number of employees, number and type of facilities, and size of budget;
- b. the type of BLM operation, including composition and structure of the work force; and
- c. the nature and cost of the accommodation.

APPENDIX 1. REASONABLE ACCOMMODATION FOR INDIVIDUALS WITH  
DISABILITIES

Recommended Format for Request for Reasonable Accommodation

This is a formal request for a reasonable accommodation.

I hereby request (describe in detail the accommodation need) as a reasonable accommodation.

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

## APPENDIX 2. REASONABLE ACCOMMODATION FOR INDIVIDUALS WITH DISABILITIES

### Medical Documentation to Support Request for Reasonable Accommodation

Medical documentation provided or obtained in connection with a medical determination related to employability may include the following information or the parts identified by the BLM as necessary or relevant:

1. The history of the specific medical condition(s) including reference to findings from previous examination, treatment, and responses to treatments;
2. Clinical findings from the most recent medical evaluation, including any of the following which have already been obtained: findings of physical examination, results of laboratory tests, "X-rays, EKGs, and other special evaluations or diagnostic procedures," and in the case of psychiatric disease, the findings of a mental status examination and the results of psychological tests;
3. Assessment of the current clinical status and plans for future treatment;
4. Diagnosis;
5. An estimate of the expected date of full or partial recovery;
6. An explanation of the impact of the medical condition on life activities both on and off the job;
7. Narrative explanation of the medical basis for any conclusion the medical basis for any conclusion that the medical condition has or has not become static or well stabilized.
8. Narrative explanation of the medical basis for any conclusion which indicates the likelihood that the individual is, or is not, expected to experience sudden or subtle incapacitation as result of the medical conditions;



9. Narrative explanation of the medical basis for any conclusion that the individual is, or is not, expected to suffer injury or harm by performing with or without accommodation, the tasks or duties of a position for which he/she is assigned or qualified; and
10. Narrative explanation of the medical basis for any conclusion that duty restrictions or accommodation are or are not warranted.



### APPENDIX 3. REASONABLE ACCOMMODATION FOR INDIVIDUALS WITH DISABILITIES

#### Standard for Review of Medical Documentation

Review of medical documentation is an assessment by, or in coordination with a physician to ensure that the following criteria are met:

1. All diagnostic and clinical impressions are justified in accordance with established diagnostic criteria; and
2. The conclusions and recommendations are consistent with generally accepted medical principles and practices.